

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JIMMY L. HARRIS,

Plaintiff,

Case No.: 14-CV-1002

v.

CITY OF MILWAUKEE, OFFICER FROILAN
SANTIAGO, OFFICER MARK KAPUSTA,
OFFICER STEVEN STELTER, CHIEF OF
POLICE EDWARD FLYNN, and
SERGEANT WALTER McCULLOUGH,

Defendants.

**DECLARATION OF NATHANIEL CADE, JR. IN OPPOSITION TO
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Pursuant to 28 U.S.C. § 1746, the undersigned, Nathaniel Cade, Jr., makes the following statements under penalty of perjury under the laws of the United States.

1. I am an attorney duly licensed to practice law within the State of Wisconsin.
2. I represent Plaintiff Jimmy L. Harris in the above-captioned case.
3. This Declaration is made in support of Plaintiff Jimmy L. Harris' brief filed in opposition to Defendants' Motion for Summary Judgment.
4. Attached as **Exhibit 1** is a true and correct copy of the March 28, 2018 Expert Report of Brian L. Landers of LandersCRT, LLC with the following attached referenced documents marked as Exhibits A through N:

- Exhibit A: *Diversity*: A Training Guide for Law Enforcement Officers - Wisconsin Department of Justice Law Enforcement Standards Board (June, 2005)
- Exhibit B: *Raising Our Standards Above Criminal Culpability*

by Chief of Police Edward A. Flynn (November 25, 2016)

- Exhibit C: Milwaukee Police Department – Standard Operating Procedure 460 – Use of Force (December 18, 2009)
- Exhibit D: Milwaukee Police Department – Amendment to Standard Operating Procedure 3/460-Use of Force issued by Chief of Police Nannette H. Hergerty (July 2, 2007)
- Exhibit E: Milwaukee Police Department – Froilan Santiago's Transcript - Milwaukee Academy Class of February 2006 (February 16, 2007)
- Exhibit F: Milwaukee Police Department – Standard Operating Procedure 460 – Use of Force (August 20, 2009)
- Exhibit G: Milwaukee Police Department Code of Conduct (May 27, 2010)
- Exhibit H: Milwaukee Police Department Memo Regarding In-Service Training Session #1 and Article: *Officer Created Jeopardy Concepts* by Major Steve James (August 11, 2010)
- Exhibit I: Milwaukee Police Department In-Service Training - Vehicle Contacts Court Cases - Power Point Presentation (2010)
- Exhibit J: Wisconsin Department of Justice Training and Standards Bureau's Wisconsin Law Enforcement Officers Criminal Law Handbook (August, 2009)
- Exhibit K: *Vehicle Contacts*: A Training Guide for Law Enforcement Officers - Wisconsin Department of Justice Law Enforcement Standards Board (April, 2002)
- Exhibit L: *Defensive and Arrest Tactics*: A Training Guide for Law Enforcement Officers - Wisconsin Department of Justice Law Enforcement Standards Board (April, 2002)
- Exhibit M: *Vehicle Contacts*: A Training Guide for Law Enforcement Officers - Wisconsin Department of Justice Law Enforcement Standards Board – Power Point Presentation (December, 2009)
- Exhibit N: *Professional Communication*: A Training Guide for

Law Enforcement Officers - Wisconsin Department of Justice
Law Enforcement Standards Board (April, 2002)

5. Attached as **Exhibit 2** is a true and correct copy of the deposition transcript of Jimmy L. Harris taken on December 8, 2017.

6. Attached as **Exhibit 3** is a true and correct copy of the deposition transcript of Froilan Santiago taken on July 12, 2017.

7. Attached as **Exhibit 4** is a true and correct copy of the deposition transcript of Mark T. Kapusta taken on July 26, 2017.

8. Attached as **Exhibit 5** is a true and correct copy of the deposition transcript of Steven M. Stelter taken on July 31, 2017.

9. Attached as **Exhibit 6** is a true and correct copy of the deposition transcript of Eric C. Ratzmann taken on July 20, 2017.

10. Attached as **Exhibit 7** is a true and correct copy of the deposition transcript of Crystal Jacks taken on November 15, 2017.

11. Attached as **Exhibit 8** is a true and correct copy of the deposition transcript of Edward Flynn taken on November 13, 2017.

Executed this 3rd day of May, 2018.

/s/Nathaniel Cade, Jr.
Nathaniel Cade, Jr.